

## Interview Summary

Application No.

08/884,873

Applicant(s)

Cook

Examiner

Maurie E. Garcia, Ph. D.

Group Art Unit

1627



All participants (applicant, applicant's representative, PTO personnel):

(1) Maurie E. Garcia, Ph. D.

(3) \_\_\_\_\_

(2) Paul Legaard

(4) \_\_\_\_\_

Date of Interview Aug 30, 2001Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: None

Identification of prior art discussed:

NoneAgreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) N/A

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussed After Final amendment filed July 23, 2001. Discussed new matter rejection as it pertains to "mixtures" of compounds (combinatorial libraries).

The issue is whether a written description of a Markush group disclosing a variety of substituent moieties can support a claim amended to recite only a subset of the originally claimed moieties.

The examiner maintained the position that the disclosure must reasonably guide one skilled in the art to select the specific subset of moieties recited in the claims and that this guidance is not sufficient in the instant case.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

MAURIE E. GARCIA, PH. D.  
PATENT EXAMINER  
ART UNIT 1627